

FIRST REGULAR SESSION

# SENATE BILL NO. 389

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR BRAY.

Read 1st time February 17, 2009, and ordered printed.

TERRY L. SPIELER, Secretary.

0252S.011

## AN ACT

To repeal sections 21.145, 105.456, 105.961, 105.963, 130.016, 130.021, 130.037, 130.047, and 130.048, RSMo, and to enact in lieu thereof thirteen new sections relating to ethics, with penalty provisions.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Sections 21.145, 105.456, 105.961, 105.963, 130.016, 130.021, 130.037, 130.047, and 130.048, RSMo, are repealed and thirteen new sections enacted in lieu thereof, to be known as sections 21.145, 105.453, 105.455, 105.456, 105.474, 105.961, 105.963, 130.016, 130.021, 130.032, 130.037, 130.047, and 130.048, to read as follows:

21.145. Each senator or representative shall be reimbursed from the state treasury for actual and necessary expenses in an amount equal to [eighty] **one hundred** percent of the federal per diem established by the Internal Revenue Service for Jefferson City for each day on which the journal of the senate or house, respectively, shows the presence of such senator or representative. Upon certification by the president and secretary of the senate and by the speaker and chief clerk of the house of representatives as to the respective members thereof, the commissioner of administration shall approve and the state treasurer shall pay monthly such expense allowance.

**105.453. 1. As used in this section, the following terms shall mean:**

(1) "Decision-making public servant", as defined in subdivision (6) of section 105.450, including those running for offices mentioned in that section;

(2) "Disclosure", complete and timely disclosure of all relevant

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

7 information known to the person making the disclosure;

8 (3) "Promptly", within forty-eight hours, excluding weekends and  
9 state, county, and federal holidays.

10 2. Any decision-making public servant who receives any offer of  
11 anything of value in consideration for any vote, opinion, judgment,  
12 exercise of discretion, or other action by such servant shall disclose the  
13 offer promptly to the county sheriff and the prosecuting attorney of the  
14 county in which the offer was made or received, or to the state attorney  
15 general, or to the federal law enforcement agency with jurisdiction  
16 over such matters. Any decision-making public servant who fails to  
17 disclose an offer as required by this subsection shall be guilty of a class  
18 B felony.

19 3. Any person who, on the person's own behalf or on behalf of  
20 any other person or entity, is seeking or has solicited within the  
21 preceding year either a contract with any public agency or for the vote  
22 of a decision-making public servant and from whom anything of value  
23 is solicited in consideration for any vote, opinion, judgment, exercise  
24 of discretion, or other action by such servant, shall promptly disclose  
25 the solicitation to the county sheriff and the prosecuting attorney of  
26 the county in which the offer was made or received, or to the state  
27 attorney general, or to the federal law enforcement agency with  
28 jurisdiction over such matters. Any person who fails to make  
29 disclosure of a solicitation as required by this subsection shall be guilty  
30 of a class C felony.

31 4. No person shall be guilty of a violation of this section due  
32 solely to the unavailability of the law enforcement personnel or agency  
33 to whom disclosure must be made, provided the person makes a good  
34 faith attempt to make the required disclosure to the law enforcement  
35 personnel or agency when the personnel or agency becomes available.

36 5. Any decision-making public servant who receives a disclosure  
37 of an offer or solicitation under this section shall promptly make a full  
38 written record of the disclosure.

39 6. No offer of a bribe by any person as part of an undercover  
40 investigation by a law enforcement agency shall be subject to this  
41 section if the chief of police or other head of the law enforcement  
42 agency specifically authorizes the offer in writing as part of an  
43 approved official investigation.

44           **7. This section does not affect rights and duties that matured,**  
45 **penalties that were incurred, and proceedings that were begun, before**  
46 **its effective date.**

**105.455. 1. No public official or state employee shall engage in**  
2 **any lobbying activity, as defined in section 105.470, in relation to the**  
3 **state agency in which the official or employee serves, if such official or**  
4 **employee accepts compensation specifically attributable to such**  
5 **lobbying, other than that provided for the performance of such**  
6 **official's or employee's official duties. Nothing in this section shall**  
7 **prohibit a public official or state employee from lobbying without**  
8 **compensation other than that which such official or employee is**  
9 **entitled to receive for performance of such official's or employee's**  
10 **official duties.**

11           **2. None of the following individuals shall engage in lobbying or**  
12 **be employed as a lobbyist within two years after leaving their**  
13 **respective office or employment:**

14           **(1) Member of the general assembly;**

15           **(2) Legislative staff and caucus employees;**

16           **(3) Governor, lieutenant governor, treasurer, auditor, secretary**  
17 **of state, or attorney general;**

18           **(4) Commissioner, deputy commissioner, or head of any state**  
19 **department or agency; or**

20           **(5) Researcher, legislative analyst, or attorney in senate research**  
21 **or house research.**

**105.456. 1. No member of the general assembly or the governor,**  
2 **lieutenant governor, attorney general, secretary of state, state treasurer or state**  
3 **auditor shall:**

4           **(1) Perform any service for the state or any political subdivision of the**  
5 **state or any agency of the state or any political subdivision thereof or act in his**  
6 **or her official capacity or perform duties associated with his or her position for**  
7 **any person for any consideration other than the compensation provided for the**  
8 **performance of his or her official duties; or**

9           **(2) Sell, rent or lease any property to the state or political subdivision**  
10 **thereof or any agency of the state or any political subdivision thereof for**  
11 **consideration in excess of five hundred dollars per transaction or one thousand**  
12 **five hundred dollars per annum unless the transaction is made pursuant to an**  
13 **award on a contract let or sale made after public notice and in the case of**

14 property other than real property, competitive bidding, provided that the bid or  
15 offer accepted is the lowest received; or

16 (3) Attempt, for compensation other than the compensation provided for  
17 the performance of his or her official duties, to influence the decision of any  
18 agency of the state on any matter, except that this provision shall not be  
19 construed to prohibit such person from participating for compensation in any  
20 adversary proceeding or in the preparation or filing of any public document or  
21 conference thereon. The exception for a conference upon a public document shall  
22 not permit any member of the general assembly or the governor, lieutenant  
23 governor, attorney general, secretary of state, state treasurer or state auditor to  
24 receive any consideration for the purpose of attempting to influence the decision  
25 of any agency of the state on behalf of any person with regard to any application,  
26 bid or request for a state grant, loan, appropriation, contract, award, permit other  
27 than matters involving a driver's license, or job before any state agency,  
28 commission, or elected official. Notwithstanding Missouri supreme court rule  
29 1.10 of rule 4 or any other court rule or law to the contrary, other members of a  
30 firm, professional corporation or partnership shall not be prohibited pursuant to  
31 this subdivision from representing a person or other entity solely because a  
32 member of the firm, professional corporation or partnership serves in the general  
33 assembly, provided that such official does not share directly in the compensation  
34 earned, so far as the same may reasonably be accounted, for such activity by the  
35 firm or by any other member of the firm. This subdivision shall not be construed  
36 to prohibit any inquiry for information or the representation of a person without  
37 consideration before a state agency or in a matter involving the state if no  
38 consideration is given, charged or promised in consequence thereof.

39 2. No sole proprietorship, partnership, joint venture, or corporation in  
40 which a member of the general assembly, governor, lieutenant governor, attorney  
41 general, secretary of state, state treasurer, state auditor or spouse of such official,  
42 is the sole proprietor, a partner having more than a ten percent partnership  
43 interest, or a coparticipant or owner of in excess of ten percent of the outstanding  
44 shares of any class of stock, shall:

45 (1) Perform any service for the state or any political subdivision thereof  
46 or any agency of the state or political subdivision for any consideration in excess  
47 of five hundred dollars per transaction or one thousand five hundred dollars per  
48 annum unless the transaction is made pursuant to an award on a contract let or  
49 sale made after public notice and competitive bidding, provided that the bid or

50 offer accepted is the lowest received; or

51 (2) Sell, rent, or lease any property to the state or any political  
52 subdivision thereof or any agency of the state or political subdivision thereof for  
53 consideration in excess of five hundred dollars per transaction or one thousand  
54 five hundred dollars per annum unless the transaction is made pursuant to an  
55 award on a contract let or a sale made after public notice and in the case of  
56 property other than real property, competitive bidding, provided that the bid or  
57 offer accepted is the lowest and best received.

58 **3. A member of the general assembly shall not accept meals, food,**  
59 **beverages, or other gifts from a lobbyist or the lobbyist's principal. A**  
60 **violation of this section may be cured by reimbursing said lobbyist or**  
61 **lobbyist principal within thirty days of obtaining actual knowledge that**  
62 **reimbursement is necessary to meet the requirements of this section.**

105.474. 1. All lobbyists, as defined in section 105.470, shall file  
2 a supplemental report documenting the lobbyist's activities during each  
3 reporting period, as required by section 105.473, with the commission.

4 **2. The report shall include the name and address of each client**  
5 **whom the lobbyist has represented under contract at any time within**  
6 **the duration of the previous reporting period, and the monetary value**  
7 **of all payments, including but not limited to salary, fees, and**  
8 **reimbursement of expenses, received in consideration for or directly or**  
9 **indirectly in support of or in connection with influencing legislative or**  
10 **administrative action on behalf of that client.**

11 **3. All lobbyists shall supply a copy of the most recent report**  
12 **required under this section and section 105.473 to all clients upon**  
13 **entering into any contract to represent such client. If a lobbyist**  
14 **contracts to represent a client and the subsequent client's interests are**  
15 **materially adverse to the interests of a current client, the lobbyist shall**  
16 **notify the current client within forty-eight hours of entering the**  
17 **contract.**

105.961. 1. Upon receipt of a complaint as described by section 105.957,  
2 the commission shall assign the complaint to a special investigator, who may be  
3 a commission employee, who shall investigate and determine the merits of the  
4 complaint. Within ten days of such assignment, the special investigator shall  
5 review such complaint and disclose, in writing, to the commission any conflict of  
6 interest which the special investigator has or might have with respect to the

7 investigation and subject thereof. Within one hundred twenty days of receipt of  
8 the complaint from the commission, the special investigator shall submit the  
9 special investigator's report to the commission. The commission, after review of  
10 such report, shall determine:

11 (1) That there is reasonable grounds for belief that a violation has  
12 occurred; or

13 (2) That there are no reasonable grounds for belief that a violation exists  
14 and the complaint should be dismissed; or

15 (3) That additional time is necessary to complete the investigation, and  
16 the status and progress of the investigation to date. The commission, in its  
17 discretion, may allow the investigation to proceed for additional successive  
18 periods of one hundred twenty days each, pending reports regarding the status  
19 and progress of the investigation at the end of each such period.

20 2. When the commission concludes, based on the report from the special  
21 investigator, or based on an audit conducted pursuant to section 105.959, that  
22 there are reasonable grounds to believe that a violation of any criminal law has  
23 occurred, and if the commission believes that criminal prosecution would be  
24 appropriate upon a vote of four members of the commission, the commission shall  
25 refer the report to the Missouri office of prosecution services, prosecutors  
26 coordinators training council established in section 56.760, RSMo, which shall  
27 submit a panel of five attorneys for recommendation to the court having criminal  
28 jurisdiction, for appointment of an attorney to serve as a special prosecutor;  
29 except that, the attorney general of Missouri or any assistant attorney general  
30 shall not act as such special prosecutor. The court shall then appoint from such  
31 panel a special prosecutor pursuant to section 56.110, RSMo, who shall have all  
32 the powers provided by section 56.130, RSMo. The court shall allow a reasonable  
33 and necessary attorney's fee for the services of the special prosecutor. Such fee  
34 shall be assessed as costs if a case is filed, or ordered by the court if no case is  
35 filed, and paid together with all other costs in the proceeding by the state, in  
36 accordance with rules and regulations promulgated by the state courts  
37 administrator, subject to funds appropriated to the office of administration for  
38 such purposes. If the commission does not have sufficient funds to pay a special  
39 prosecutor, the commission shall refer the case to the prosecutor or prosecutors  
40 having criminal jurisdiction. If the prosecutor having criminal jurisdiction is not  
41 able to prosecute the case due to a conflict of interest, the court may appoint a  
42 special prosecutor, paid from county funds, upon appropriation by the county or

43 the attorney general to investigate and, if appropriate, prosecute the case. The  
44 special prosecutor or prosecutor shall commence an action based on the report by  
45 the filing of an information or seeking an indictment within sixty days of the date  
46 of such prosecutor's appointment, or shall file a written statement with the  
47 commission explaining why criminal charges should not be sought. If the special  
48 prosecutor or prosecutor fails to take either action required by this subsection,  
49 upon request of the commission, a new special prosecutor, who may be the  
50 attorney general, shall be appointed. The report may also be referred to the  
51 appropriate disciplinary authority over the person who is the subject of the  
52 report.

53 3. When the commission concludes, based on the report from the special  
54 investigator or based on an audit conducted pursuant to section 105.959, that  
55 there are reasonable grounds to believe that a violation of any law has occurred  
56 which is not a violation of criminal law or that criminal prosecution is not  
57 appropriate, the commission shall conduct a hearing which shall be a closed  
58 meeting and not open to the public. The hearing shall be conducted pursuant to  
59 the procedures provided by sections 536.063 to 536.090, RSMo, and shall be  
60 considered to be a contested case for purposes of such sections. The commission  
61 shall determine, in its discretion, whether or not that there is probable cause that  
62 a violation has occurred. If the commission determines, by a vote of at least four  
63 members of the commission, that probable cause exists that a violation has  
64 occurred, the commission may refer its findings and conclusions to the  
65 appropriate disciplinary authority over the person who is the subject of the  
66 report, as described in subsection 7 of this section. After the commission  
67 determines by a vote of at least four members of the commission that probable  
68 cause exists that a violation has occurred, and the commission has referred the  
69 findings and conclusions to the appropriate disciplinary authority over the person  
70 subject of the report, the subject of the report may appeal the determination of  
71 the commission to the [administrative hearing commission] **circuit court of**  
72 **Cole County**. Such appeal shall stay the action of the Missouri ethics  
73 commission. Such appeal shall be filed not later than the fourteenth day after  
74 the subject of the commission's action receives actual notice of the commission's  
75 action.

76 4. If the appropriate disciplinary authority receiving a report from the  
77 commission pursuant to subsection 3 of this section fails to follow, within sixty  
78 days of the receipt of the report, the recommendations contained in the report, or

79 if the commission determines, by a vote of at least four members of the  
80 commission that some action other than referral for criminal prosecution or for  
81 action by the appropriate disciplinary authority would be appropriate, the  
82 commission shall take any one or more of the following actions:

83 (1) Notify the person to cease and desist violation of any provision of law  
84 which the report concludes was violated and that the commission may seek  
85 judicial enforcement of its decision pursuant to subsection 5 of this section;

86 (2) Notify the person of the requirement to file, amend or correct any  
87 report, statement, or other document or information required by sections 105.473,  
88 105.483 to 105.492, or chapter 130, RSMo, and that the commission may seek  
89 judicial enforcement of its decision pursuant to subsection 5 of this section; and

90 (3) File the report with the executive director to be maintained as a public  
91 document; or

92 (4) Issue a letter of concern or letter of reprimand to the person, which  
93 would be maintained as a public document; or

94 (5) Issue a letter that no further action shall be taken, which would be  
95 maintained as a public document; or

96 (6) Through reconciliation agreements or civil action, the power to seek  
97 fees for violations in an amount not greater than one thousand dollars or double  
98 the amount involved in the violation.

99 5. Upon vote of at least four members, the commission may initiate formal  
100 judicial proceedings seeking to obtain any of the following orders:

101 (1) Cease and desist violation of any provision of sections 105.450 to  
102 105.496, or chapter 130, RSMo, or sections 105.955 to 105.963;

103 (2) Pay any civil penalties required by sections 105.450 to 105.496 or  
104 chapter 130, RSMo;

105 (3) File any reports, statements, or other documents or information  
106 required by sections 105.450 to 105.496, or chapter 130, RSMo; or

107 (4) Pay restitution for any unjust enrichment the violator obtained as a  
108 result of any violation of any criminal statute as described in subsection 6 of this  
109 section.

110 The Missouri ethics commission shall give actual notice to the subject of the  
111 complaint of the proposed action as set out in this section. The subject of the  
112 complaint may appeal the action of the Missouri ethics commission, other than  
113 a referral for criminal prosecution, to the [administrative hearing commission]  
114 **circuit court of Cole County**. Such appeal shall stay the action of the

115 Missouri ethics commission. Such appeal shall be filed no later than fourteen  
116 days after the subject of the commission's actions receives actual notice of the  
117 commission's actions.

118           6. In the proceeding in circuit court, the commission may seek restitution  
119 against any person who has obtained unjust enrichment as a result of violation  
120 of any provision of sections 105.450 to 105.496, or chapter 130, RSMo, and may  
121 recover on behalf of the state or political subdivision with which the alleged  
122 violator is associated, damages in the amount of any unjust enrichment obtained  
123 and costs and attorney's fees as ordered by the court.

124           7. The appropriate disciplinary authority to whom a report shall be sent  
125 pursuant to subsection 2 or 3 of this section shall include, but not be limited to,  
126 the following:

127           (1) In the case of a member of the general assembly, the ethics committee  
128 of the house of which the subject of the report is a member;

129           (2) In the case of a person holding an elective office or an appointive office  
130 of the state, if the alleged violation is an impeachable offense, the report shall be  
131 referred to the ethics committee of the house of representatives;

132           (3) In the case of a person holding an elective office of a political  
133 subdivision, the report shall be referred to the governing body of the political  
134 subdivision;

135           (4) In the case of any officer or employee of the state or of a political  
136 subdivision, the report shall be referred to the person who has immediate  
137 supervisory authority over the employment by the state or by the political  
138 subdivision of the subject of the report;

139           (5) In the case of a judge of a court of law, the report shall be referred to  
140 the commission on retirement, removal and discipline, or if the inquiry involves  
141 an employee of the judiciary to the applicable presiding judge;

142           (6) In the case of a person holding an appointive office of the state, if the  
143 alleged violation is not an impeachable offense, the report shall be referred to the  
144 governor;

145           (7) In the case of a statewide elected official, the report shall be referred  
146 to the attorney general;

147           (8) In a case involving the attorney general, the report shall be referred  
148 to the prosecuting attorney of Cole County.

149           8. The special investigator having a complaint referred to the special  
150 investigator by the commission shall have the following powers:

151 (1) To request and shall be given access to information in the possession  
152 of any person or agency which the special investigator deems necessary for the  
153 discharge of the special investigator's responsibilities;

154 (2) To examine the records and documents of any person or agency, unless  
155 such examination would violate state or federal law providing for confidentiality;

156 (3) To administer oaths and affirmations;

157 (4) Upon refusal by any person to comply with a request for information  
158 relevant to an investigation, an investigator may issue a subpoena for any person  
159 to appear and give testimony, or for a subpoena duces tecum to produce  
160 documentary or other evidence which the investigator deems relevant to a matter  
161 under the investigator's inquiry. The subpoenas and subpoenas duces tecum may  
162 be enforced by applying to a judge of the circuit court of Cole County or any  
163 county where the person or entity that has been subpoenaed resides or may be  
164 found, for an order to show cause why the subpoena or subpoena duces tecum  
165 should not be enforced. The order and a copy of the application therefor shall be  
166 served in the same manner as a summons in a civil action, and if, after hearing,  
167 the court determines that the subpoena or subpoena duces tecum should be  
168 sustained and enforced, the court shall enforce the subpoena or subpoena duces  
169 tecum in the same manner as if it had been issued by the court in a civil action;  
170 and

171 (5) To request from the commission such investigative, clerical or other  
172 staff assistance or advancement of other expenses which are necessary and  
173 convenient for the proper completion of an investigation. Within the limits of  
174 appropriations to the commission, the commission may provide such assistance,  
175 whether by contract to obtain such assistance or from staff employed by the  
176 commission, or may advance such expenses.

177 9. (1) Any retired judge may request in writing to have the judge's name  
178 removed from the list of special investigators subject to appointment by the  
179 commission or may request to disqualify himself or herself from any  
180 investigation. Such request shall include the reasons for seeking removal;

181 (2) By vote of four members of the commission, the commission may  
182 disqualify a judge from a particular investigation or may permanently remove the  
183 name of any retired judge from the list of special investigators subject to  
184 appointment by the commission.

185 10. Any person who is the subject of any investigation pursuant to this  
186 section shall be entitled to be represented by counsel at any proceeding before the

187 special investigator or the commission.

188           11. The provisions of sections 105.957, 105.959 and 105.961 are in  
189 addition to other provisions of law under which any remedy or right of appeal or  
190 objection is provided for any person, or any procedure provided for inquiry or  
191 investigation concerning any matter. The provisions of this section shall not be  
192 construed to limit or affect any other remedy or right of appeal or objection.

193           12. No person shall be required to make or file a complaint to the  
194 commission as a prerequisite for exhausting the person's administrative remedies  
195 before pursuing any civil cause of action allowed by law.

196           13. If, in the opinion of the commission, the complaining party was  
197 motivated by malice or reason contrary to the spirit of any law on which such  
198 complaint was based, in filing the complaint without just cause, this finding shall  
199 be reported to appropriate law enforcement authorities. Any person who  
200 knowingly files a complaint without just cause, or with malice, is guilty of a class  
201 A misdemeanor.

202           14. A respondent party who prevails in a formal judicial action brought  
203 by the commission shall be awarded those reasonable fees and expenses incurred  
204 by that party in the formal judicial action, unless the court finds that the position  
205 of the commission was substantially justified or that special circumstances make  
206 such an award unjust.

207           15. The special investigator and members and staff of the commission  
208 shall maintain confidentiality with respect to all matters concerning a complaint  
209 until and if a report is filed with the commission, with the exception of  
210 communications with any person which are necessary to the investigation. The  
211 report filed with the commission resulting from a complaint acted upon under the  
212 provisions of this section shall not contain the name of the complainant or other  
213 person providing information to the investigator, if so requested in writing by the  
214 complainant or such other person. Any person who violates the confidentiality  
215 requirements imposed by this section or subsection 17 of section 105.955 required  
216 to be confidential is guilty of a class A misdemeanor and shall be subject to  
217 removal from or termination of employment by the commission.

218           16. Any judge of the court of appeals or circuit court who ceases to hold  
219 such office by reason of the judge's retirement and who serves as a special  
220 investigator pursuant to this section shall receive annual compensation, salary  
221 or retirement for such services at the rates of compensation provided for senior  
222 judges by subsections 1, 2 and 4 of section 476.682, RSMo. Such retired judges

223 shall by the tenth day of each month following any month in which the judge  
224 provided services pursuant to this section certify to the commission and to the  
225 state courts administrator the amount of time engaged in such services by hour  
226 or fraction thereof, the dates thereof, and the expenses incurred and allowable  
227 pursuant to this section. The commission shall then issue a warrant to the state  
228 treasurer for the payment of the salary and expenses to the extent, and within  
229 limitations, provided for in this section. The state treasurer upon receipt of such  
230 warrant shall pay the same out of any appropriations made for this purpose on  
231 the last day of the month during which the warrant was received by the state  
232 treasurer.

105.963. 1. The executive director shall assess every committee, as  
2 defined in section 130.011, RSMo, failing to file with a filing officer other than a  
3 local election authority as provided by section 130.026, RSMo, a campaign  
4 disclosure report as required by chapter 130, RSMo, other than the report  
5 required pursuant to subdivision (1) of subsection 1 of section 130.046, RSMo, a  
6 late filing fee of ten dollars for each day after such report is due to the  
7 commission. The executive director shall mail a notice, by registered mail, to any  
8 candidate and the treasurer of any committee who fails to file such report  
9 informing such person of such failure and the fees provided by this section. If the  
10 candidate or treasurer of any committee persists in such failure for a period in  
11 excess of thirty days beyond receipt of such notice, the amount of the late filing  
12 fee shall increase to one hundred dollars for each day that the report is not filed,  
13 provided that the total amount of such fees assessed pursuant to this subsection  
14 per report shall not exceed three thousand dollars.

15 2. (1) Any candidate for state or local office who fails to file a campaign  
16 disclosure report required pursuant to subdivision (1) of subsection 1 of section  
17 130.046, RSMo, other than a report required to be filed with a local election  
18 authority as provided by section 130.026, RSMo, shall be assessed by the  
19 executive director a late filing fee of one hundred dollars for each day that the  
20 report is not filed, until the first day after the date of the election. After such  
21 election date, the amount of such late filing fee shall accrue at the rate of ten  
22 dollars per day that such report remains unfiled, except as provided in  
23 subdivision (2) of this subsection.

24 (2) The executive director shall mail a notice, by certified mail or other  
25 means to give actual notice, to any candidate who fails to file the report described  
26 in subdivision (1) of this subsection informing such person of such failure and the

27 fees provided by this section. If the candidate persists in such failure for a period  
28 in excess of thirty days beyond receipt of such notice, the amount of the late filing  
29 fee shall increase to one hundred dollars for each day that the report is not filed,  
30 provided that the total amount of such fees assessed pursuant to this subsection  
31 per report shall not exceed six thousand dollars.

32 3. The executive director shall assess every person required to file a  
33 financial interest statement pursuant to sections 105.483 to 105.492 failing to file  
34 such a financial interest statement with the commission a late filing fee of ten  
35 dollars for each day after such statement is due to the commission. The executive  
36 director shall mail a notice, by certified mail, to any person who fails to file such  
37 statement informing the individual required to file of such failure and the fees  
38 provided by this section. If the person persists in such failure for a period in  
39 excess of thirty days beyond receipt of such notice, the amount of the late filing  
40 fee shall increase to one hundred dollars for each day thereafter that the  
41 statement is late, provided that the total amount of such fees assessed pursuant  
42 to this subsection per statement shall not exceed six thousand dollars.

43 4. Any person assessed a late filing fee may seek review of such  
44 assessment or the amount of late filing fees assessed, at the person's option, by  
45 filing a petition within fourteen days after receiving actual notice of assessment  
46 with the [administrative hearing commission, or without exhausting the person's  
47 administrative remedies may seek review of such issues with the] circuit court  
48 of Cole County.

49 5. The executive director of the Missouri ethics commission shall collect  
50 such late filing fees as are provided for in this section. Unpaid late filing fees  
51 shall be collected by action filed by the commission. The commission shall  
52 contract with the appropriate entity to collect such late filing fees after a  
53 thirty-day delinquency. If not collected within one hundred twenty days, the  
54 Missouri ethics commission shall file a petition in Cole County circuit court to  
55 seek a judgment on said fees. All late filing fees collected pursuant to this section  
56 shall be transmitted to the state treasurer and deposited to the general revenue  
57 fund.

58 6. The late filing fees provided by this section shall be in addition to any  
59 penalty provided by law for violations of sections 105.483 to 105.492 or chapter  
60 130, RSMo.

61 7. If any candidate fails to file a campaign disclosure report in a timely  
62 manner and that candidate is assessed a late filing fee, the candidate, candidate

63 committee treasurer or assistant treasurer may file an appeal of the assessment  
64 of the late filing fee with the commission. The commission may forgive the  
65 assessment of the late filing fee upon a showing of good cause. Such appeal shall  
66 be filed within ten days of the receipt of notice of the assessment of the late filing  
67 fee.

130.016. 1. No candidate for statewide elected office, general assembly,  
2 or municipal office in a city with a population of more than one hundred thousand  
3 shall be required to comply with the requirements to file a statement of  
4 organization or disclosure reports of contributions and expenditures for any  
5 election in which neither the aggregate of contributions received nor the  
6 aggregate of expenditures made on behalf of such candidate exceeds five hundred  
7 dollars and no single contributor, other than the candidate, has contributed more  
8 than [three hundred twenty-five dollars] **the amount of the limitation on**  
9 **contributions to elect an individual to the office of state representative**  
10 **as calculated in subsection 2 of section 130.032**, provided that:

11 (1) The candidate files a sworn exemption statement with the appropriate  
12 officer that the candidate does not intend to either receive contributions or make  
13 expenditures in the aggregate of more than five hundred dollars or receive  
14 contributions from any single contributor, other than the candidate, that  
15 aggregate more than [three hundred twenty-five dollars] **the amount of the**  
16 **limitation on contributions to elect an individual to the office of state**  
17 **representative as calculated in subsection 2 of section 130.032**, and that  
18 the total of all contributions received or expenditures made by the candidate and  
19 all committees or any other person with the candidate's knowledge and consent  
20 in support of the candidacy will not exceed five hundred dollars and that the  
21 aggregate of contributions received from any single contributor will not exceed the  
22 amount of the limitation on contributions to elect an individual to the office of  
23 state representative as calculated in subsection 2 of section 130.032. Such  
24 exemption statement shall be filed no later than the date set forth in section  
25 130.046 on which a disclosure report would otherwise be required if the candidate  
26 does not file the exemption statement. The exemption statement shall be filed  
27 on a form furnished to each appropriate officer by the executive director of the  
28 Missouri ethics commission. Each appropriate officer shall make the exemption  
29 statement available to candidates and shall direct each candidate's attention to  
30 the exemption statement and explain its purpose to the candidate; and

31 (2) The sworn exemption statement includes a statement that the

32 candidate understands that records of contributions and expenditures must be  
33 maintained from the time the candidate first receives contributions or makes  
34 expenditures and that an exemption from filing a statement of organization or  
35 disclosure reports does not exempt the candidate from other provisions of this  
36 chapter. Each candidate described in this subsection who files a statement of  
37 exemption shall file a statement of limited activity for each reporting period  
38 described in section 130.046.

39         2. Any candidate who has filed an exemption statement as provided in  
40 subsection 1 of this section shall not accept any contribution or make any  
41 expenditure in support of the person's candidacy, either directly or indirectly or  
42 by or through any committee or any other person acting with the candidate's  
43 knowledge and consent, which would cause such contributions or expenditures to  
44 exceed the limits specified in subdivision (1) of subsection 1 of this section unless  
45 the candidate later rejects the exemption pursuant to subsection 3 of this  
46 section. Any contribution received in excess of such limits shall be returned to  
47 the donor or transmitted to the state treasurer to escheat to the state.

48         3. If, after filing the exemption statement provided for in this section, the  
49 candidate subsequently determines the candidate wishes to exceed any of the  
50 limits in subdivision (1) of subsection 1 of this section, the candidate shall file a  
51 notice of rejection of the exemption with the appropriate officer; however, such  
52 rejection shall not be filed later than thirty days before election. A notice of  
53 rejection of exemption shall be accompanied by a statement of organization as  
54 required by section 130.021 and any other statements and reports which would  
55 have been required if the candidate had not filed an exemption statement.

56         4. A primary election and the immediately succeeding general election are  
57 separate elections, and restrictions on contributions and expenditures set forth  
58 in subsection 2 of this section shall apply to each election; however, if a successful  
59 primary candidate has correctly filed an exemption statement prior to the  
60 primary election and has not filed a notice of rejection prior to the date on which  
61 the first disclosure report applicable to the succeeding general election is required  
62 to be filed, the candidate shall not be required to file an exemption statement for  
63 that general election if the limitations set forth in subsection 1 of this section  
64 apply to the succeeding general election.

65         5. A candidate who has an existing candidate committee formed for a prior  
66 election for which all statements and reports required by this chapter have been  
67 properly filed shall be eligible to file the exemption statement as provided in

68 subsection 1 of this section and shall not be required to file the disclosure reports  
69 pertaining to the election for which the candidate is eligible to file the exemption  
70 statement if the candidate and the treasurer or deputy treasurer of such existing  
71 candidate committee continue to comply with the requirements, limitations and  
72 restrictions set forth in subsections 1, 2, 3 and 4 of this section. The exemption  
73 permitted by this subsection does not exempt a candidate or the treasurer of the  
74 candidate's existing candidate committee from complying with the requirements  
75 of subsections 6 and 7 of section 130.046 applicable to a prior election.

76           6. No candidate for supreme court, circuit court, or associate circuit court,  
77 or candidate for political party office, or for county office or municipal office in a  
78 city of one hundred thousand or less, or for any special purpose district office  
79 shall be required to file an exemption statement pursuant to this section in order  
80 to be exempted from forming a committee and filing disclosure reports required  
81 of committees pursuant to this chapter if the aggregate of contributions received  
82 or expenditures made by the candidate and any other person with the candidate's  
83 knowledge and consent in support of the person's candidacy does not exceed one  
84 thousand dollars and the aggregate of contributions from any single contributor  
85 does not exceed [three hundred twenty-five dollars] **the amount of the**  
86 **limitation on contributions to elect an individual to the office of state**  
87 **representative as calculated in subsection 2 of section 130.032.** No  
88 candidate for any office listed in this subsection shall be excused from complying  
89 with the provisions of any section of this chapter, other than the filing of an  
90 exemption statement under the conditions specified in this subsection.

91           7. If any candidate for an office listed in subsection 6 of this section  
92 exceeds the limits specified in subsection 6 of this section, the candidate shall  
93 form a committee no later than thirty days prior to the election for which the  
94 contributions were received or expended which shall comply with all provisions  
95 of this chapter for committees.

96           8. No member of or candidate for the general assembly shall form a  
97 candidate committee for the office of speaker of the house of representatives or  
98 president pro tem of the senate.

130.021. 1. Every committee shall have a treasurer who, except as  
2 provided in subsection 10 of this section, shall be a resident of this state and  
3 reside in the district or county in which the committee sits. A committee may  
4 also have a deputy treasurer who, except as provided in subsection 10 of this  
5 section, shall be a resident of this state and reside in the district or county in

6 which the committee sits, to serve in the capacity of committee treasurer in the  
7 event the committee treasurer is unable for any reason to perform the treasurer's  
8 duties. **A treasurer for a committee shall not hold that designation for,  
9 represent, or carry out the duties of more than one committee  
10 concurrently.**

11           2. Every candidate for offices listed in subsection 1 of section 130.016 who  
12 has not filed a statement of exemption pursuant to that subsection and every  
13 candidate for offices listed in subsection 6 of section 130.016 who is not excluded  
14 from filing a statement of organization and disclosure reports pursuant to  
15 subsection 6 shall form a candidate committee and appoint a  
16 treasurer. Thereafter, all contributions on hand and all further contributions  
17 received by such candidate and any of the candidate's own funds to be used in  
18 support of the person's candidacy shall be deposited in a candidate committee  
19 depository account established pursuant to the provisions of subsection 4 of this  
20 section, and all expenditures shall be made through the candidate, treasurer or  
21 deputy treasurer of the person's candidate committee. Nothing in this chapter  
22 shall prevent a candidate from appointing himself or herself as a committee of  
23 one and serving as the person's own treasurer, maintaining the candidate's own  
24 records and filing all the reports and statements required to be filed by the  
25 treasurer of a candidate committee.

26           3. A candidate who has more than one candidate committee supporting  
27 the person's candidacy shall designate one of those candidate committees as the  
28 committee responsible for consolidating the aggregate contributions to all such  
29 committees under the candidate's control and direction as required by section  
30 130.041.

31           4. (1) Every committee shall have a single official fund depository within  
32 this state which shall be a federally or state-chartered bank, a federally or  
33 state-chartered savings and loan association, or a federally or state-chartered  
34 credit union in which the committee shall open and thereafter maintain at least  
35 one official depository account in its own name. An "official depository account"  
36 shall be a checking account or some type of negotiable draft or negotiable order  
37 of withdrawal account, and the official fund depository shall, regarding an official  
38 depository account, be a type of financial institution which provides a record of  
39 deposits, canceled checks or other canceled instruments of withdrawal evidencing  
40 each transaction by maintaining copies within this state of such instruments and  
41 other transactions. All contributions which the committee receives in money,

42 checks and other negotiable instruments shall be deposited in a committee's  
43 official depository account. Contributions shall not be accepted and expenditures  
44 shall not be made by a committee except by or through an official depository  
45 account and the committee treasurer, deputy treasurer or  
46 candidate. Contributions received by a committee shall not be commingled with  
47 any funds of an agent of the committee, a candidate or any other person, except  
48 that contributions from a candidate of the candidate's own funds to the person's  
49 candidate committee shall be deposited to an official depository account of the  
50 person's candidate committee. No expenditure shall be made by a committee  
51 when the office of committee treasurer is vacant except that when the office of a  
52 candidate committee treasurer is vacant, the candidate shall be the treasurer  
53 until the candidate appoints a new treasurer.

54 (2) A committee treasurer, deputy treasurer or candidate may withdraw  
55 funds from a committee's official depository account and deposit such funds in one  
56 or more savings accounts in the committee's name in any bank, savings and loan  
57 association or credit union within this state, and may also withdraw funds from  
58 an official depository account for investment in the committee's name in any  
59 certificate of deposit, bond or security. Proceeds from interest or dividends from  
60 a savings account or other investment or proceeds from withdrawals from a  
61 savings account or from the sale of an investment shall not be expended or  
62 reinvested, except in the case of renewals of certificates of deposit, without first  
63 redepositing such proceeds in an official depository account. Investments, other  
64 than savings accounts, held outside the committee's official depository account at  
65 any time during a reporting period shall be disclosed by description, amount, any  
66 identifying numbers and the name and address of any institution or person in  
67 which or through which it is held in an attachment to disclosure reports the  
68 committee is required to file. Proceeds from an investment such as interest or  
69 dividends or proceeds from its sale, shall be reported by date and amount. In the  
70 case of the sale of an investment, the names and addresses of the persons  
71 involved in the transaction shall also be stated. Funds held in savings accounts  
72 and investments, including interest earned, shall be included in the report of  
73 money on hand as required by section 130.041.

74 5. The treasurer or deputy treasurer acting on behalf of any person or  
75 organization or group of persons which is a committee by virtue of the definitions  
76 of committee in section 130.011 and any candidate who is not excluded from  
77 forming a committee in accordance with the provisions of section 130.016 shall

78 file a statement of organization with the appropriate officer within twenty days  
79 after the person or organization becomes a committee but no later than the date  
80 for filing the first report required pursuant to the provisions of section  
81 130.046. The statement of organization shall contain the following information:

82 (1) The name, mailing address and telephone number, if any, of the  
83 committee filing the statement of organization. If the committee is deemed to be  
84 affiliated with a connected organization as provided in subdivision (11) of section  
85 130.011, the name of the connected organization, or a legally registered fictitious  
86 name which reasonably identifies the connected organization, shall appear in the  
87 name of the committee. If the committee is a candidate committee, the name of  
88 the candidate shall be a part of the committee's name;

89 (2) The name, mailing address and telephone number of the candidate;

90 (3) The name, mailing address and telephone number of the committee  
91 treasurer, and the name, mailing address and telephone number of its deputy  
92 treasurer if the committee has named a deputy treasurer;

93 (4) The names, mailing addresses and titles of its officers, if any;

94 (5) The name and mailing address of any connected organizations with  
95 which the committee is affiliated;

96 (6) The name and mailing address of its depository, and the name and  
97 account number of each account the committee has in the depository;

98 (7) Identification of the major nature of the committee such as a candidate  
99 committee, campaign committee, continuing committee, political party committee,  
100 incumbent committee, or any other committee according to the definition of  
101 committee in section 130.011;

102 (8) In the case of the candidate committee designated in subsection 3 of  
103 this section, the full name and address of each other candidate committee which  
104 is under the control and direction of the same candidate, together with the name,  
105 address and telephone number of the treasurer of each such other committee;

106 (9) The name and office sought of each candidate supported or opposed by  
107 the committee;

108 (10) The ballot measure concerned, if any, and whether the committee is  
109 in favor of or opposed to such measure.

110 6. A committee may omit the information required in subdivisions (9) and  
111 (10) of subsection 5 of this section if, on the date on which it is required to file a  
112 statement of organization, the committee has not yet determined the particular  
113 candidates or particular ballot measures it will support or oppose. **Any**

114 **contribution received over the allowable contribution limits described**  
115 **in section 130.032 shall be returned to the contributor by the committee**  
116 **within five business days of the declaration of candidacy or position on**  
117 **a candidate or a particular ballot measure of the committee.**

118           7. A committee which has filed a statement of organization and has not  
119 terminated shall not be required to file another statement of organization, except  
120 that when there is a change in any of the information previously reported as  
121 required by subdivisions (1) to (8) of subsection 5 of this section an amended  
122 statement of organization shall be filed within twenty days after the change  
123 occurs, but no later than the date of the filing of the next report required to be  
124 filed by that committee by section 130.046.

125           8. Upon termination of a committee, a termination statement indicating  
126 dissolution shall be filed not later than ten days after the date of dissolution with  
127 the appropriate officer or officers with whom the committee's statement of  
128 organization was filed. The termination statement shall include: the distribution  
129 made of any remaining surplus funds and the disposition of any deficits; and the  
130 name, mailing address and telephone number of the individual responsible for  
131 preserving the committee's records and accounts as required in section 130.036.

132           9. Any statement required by this section shall be signed and attested by  
133 the committee treasurer or deputy treasurer, and by the candidate in the case of  
134 a candidate committee.

135           10. A committee domiciled outside this state shall be required to file a  
136 statement of organization and appoint a treasurer residing in this state and open  
137 an account in a depository within this state; provided that either of the following  
138 conditions prevails:

139           (1) The aggregate of all contributions received from persons domiciled in  
140 this state exceeds twenty percent in total dollar amount of all funds received by  
141 the committee in the preceding twelve months; or

142           (2) The aggregate of all contributions and expenditures made to support  
143 or oppose candidates and ballot measures in this state exceeds one thousand five  
144 hundred dollars in the current calendar year.

145           11. If a committee domiciled in this state receives a contribution of one  
146 thousand five hundred dollars or more from any committee domiciled outside of  
147 this state, the committee domiciled in this state shall file a disclosure report with  
148 the commission. The report shall disclose the full name, mailing address,  
149 telephone numbers and domicile of the contributing committee and the date and

150 amount of the contribution. The report shall be filed within forty-eight hours of  
151 the receipt of such contribution if the contribution is received after the last  
152 reporting date before the election.

153 12. Each legislative and senatorial district committee shall retain only one  
154 address in the district it sits for the purpose of receiving contributions.

**130.032. 1. In addition to the limitations imposed pursuant to  
2 section 130.031, the amount of contributions made by or accepted from  
3 any person other than the candidate in any one election shall not  
4 exceed the following:**

5 (1) To elect an individual to the office of governor, lieutenant  
6 governor, secretary of state, state treasurer, state auditor or attorney  
7 general, one thousand two hundred seventy-five dollars;

8 (2) To elect an individual to the office of state senator, six  
9 hundred fifty dollars;

10 (3) To elect an individual to the office of state representative,  
11 three hundred twenty-five dollars;

12 (4) To elect an individual to any other office, including judicial  
13 office, if the population of the electoral district, ward, or other unit  
14 according to the latest decennial census is under one hundred  
15 thousand, two hundred fifty dollars;

16 (5) To elect an individual to any other office, including judicial  
17 office, if the population of the electoral district, ward, or other unit  
18 according to the latest decennial census is at least one hundred  
19 thousand but less than two hundred fifty thousand, five hundred  
20 dollars; and

21 (6) To elect an individual to any other office, including judicial  
22 office, if the population of the electoral district, ward, or other unit  
23 according to the latest decennial census is at least two hundred fifty  
24 thousand, one thousand dollars.

25 2. For purposes of this subsection, "base year amount" shall be  
26 the contribution limits prescribed in this section. Such limits shall be  
27 increased on the first day of January in each even-numbered year by  
28 multiplying the base year amount by the cumulative consumer price  
29 index, as defined in section 104.010, RSMo, and rounded to the nearest  
30 twenty-five-dollar amount.

31 3. Candidate committees, exploratory committees, campaign  
32 committees, continuing committees, and political party committees

33 shall be subject to the limits prescribed in subsection 1 of this  
34 section. The provisions of this subsection shall not limit the amount of  
35 contributions which may be accumulated by a candidate committee and  
36 used for expenditures to further the nomination or election of the  
37 candidate who controls such candidate committee, except as provided  
38 in section 130.052.

39 4. Contributions from persons under fourteen years of age shall  
40 be considered made by the parents or guardians of such person and  
41 shall be attributed toward any contribution limits prescribed in this  
42 chapter. Where the contributor under fourteen years of age has two  
43 custodial parents or guardians, fifty percent of the contribution shall  
44 be attributed to each parent or guardian, and where such contributor  
45 has one custodial parent or guardian, all such contributions shall be  
46 attributed to the custodial parent or guardian.

47 5. Contributions received and expenditures made prior to the  
48 enactment of this section shall be reported as a separate account and  
49 pursuant to the laws in effect at the time such contributions are  
50 received or expenditures made. Contributions received and  
51 expenditures made after the enactment of this section shall be reported  
52 as a separate account from the aforementioned account and pursuant  
53 to the provisions of this chapter. The account reported pursuant to the  
54 prior law shall be retained as a separate account and any remaining  
55 funds in such account may be used pursuant to this chapter and section  
56 130.034.

57 6. Monetary contributions shall not be made from any continuing  
58 committee to any other committee.

59 7. Any committee which accepts or gives contributions other  
60 than those allowed shall be subject to a surcharge of one thousand  
61 dollars plus an amount equal to the contribution per nonallowable  
62 contribution, to be paid to the ethics commission and which shall be  
63 transferred to the director of revenue, upon notification of such  
64 nonallowable contribution by the ethics commission, and after the  
65 candidate has had ten business days after receipt of notice to return  
66 the contribution to the contributor. The candidate and the candidate  
67 committee treasurer or deputy treasurer owing a surcharge shall be  
68 personally liable for the payment of the surcharge or may pay such  
69 surcharge only from campaign funds existing on the date of the receipt

70 **of notice. Such surcharge shall constitute a debt to the state**  
71 **enforceable under, but not limited to, the provisions of chapter 143,**  
72 **RSMo.**

130.037. Any candidate may file a supplemental report containing  
2 information required pursuant to section 130.041 for the purposes of this  
3 section. Candidates whose supplemental report filed within thirty days of August  
4 28, 1997, or whose report filed pursuant to subdivision (2) of subsection 1 of  
5 section 130.046 reflects outstanding obligations in excess of moneys on hand, may  
6 convert their campaign committee to a debt service committee as provided in this  
7 section. If a debt service committee is formed, the committee may accept  
8 contributions from any person **as long as the aggregate contribution from**  
9 **such person does not exceed the limits set, under section 130.032, for**  
10 **the aggregating period, under subdivision (1) of subsection 2 of section**  
11 **130.041 in which the debt occurred.** A person who contributes to a debt  
12 service committee of a candidate may also contribute to the candidate's campaign  
13 committee for a succeeding election **up to the amounts specified in section**  
14 **130.032.** The treasurer and the candidate shall terminate the debt service  
15 committee pursuant to section 130.021 when the contributions received exceed the  
16 amount of the debt, and within thirty days the committee shall file disclosure  
17 reports pursuant to section 130.041 and shall return any excess moneys received  
18 to the contributor or contributors, if known, otherwise such moneys shall escheat  
19 to the state. No debt service committee shall be in existence more than eighteen  
20 months.

130.047. Any person who is not a defined committee who makes an  
2 expenditure or expenditures aggregating five hundred dollars or more in support  
3 of, or opposition to, one or more candidates or in support of, or in opposition to,  
4 the qualification or passage of one or more ballot measures, other than a  
5 contribution made directly to a candidate or committee, shall file a report signed  
6 by the person making the expenditures, or that person's authorized agent. The  
7 report shall include the name and address of the person making the expenditure,  
8 the date and amount of the expenditure or expenditures, the name and address  
9 of the payee, and a description of the nature and purpose of each  
10 expenditure. Such report shall be filed with the appropriate officer having  
11 jurisdiction over the election of the candidate or ballot measure in question as set  
12 forth in section 130.026 no later than fourteen days after the date of making an  
13 expenditure which by itself or when added to all other such expenditures during

14 the same campaign equals five hundred dollars or more. If, after filing such  
15 report, additional expenditures are made, a further report shall be filed no later  
16 than fourteen days after the date of making the additional expenditures; except  
17 that, if any such expenditure is made within [fourteen] **twelve** days prior to an  
18 election, the report shall be filed no later than [forty-eight] **twenty-four** hours  
19 after the date of such expenditure. The provisions of this subsection shall not  
20 apply to a person who uses only the person's funds or resources to make an  
21 expenditure or expenditures in support of or in coordination or consultation with  
22 a candidate or committee; provided that, any such expenditure is recorded as a  
23 contribution to such candidate or committee and so reported by the candidate or  
24 committee being supported by the expenditure or expenditures.

130.048. The internal dissemination by any membership organization,  
2 proprietorship, labor organization, corporation, association or other entity, except  
3 a committee as defined in section 130.011, of information advocating the election  
4 or defeat of a candidate or the passage or defeat of a ballot measure to its  
5 members, employees or shareholders, the cost of which is more than two thousand  
6 dollars in support of or in opposition to one or more candidates or in support of  
7 or in opposition to the qualification or passage of one or more ballot measures in  
8 a calendar year, other than a contribution made directly to a candidate or  
9 committee, shall be reported in a report signed by the person responsible for  
10 making the expenditure or that person's authorized agent. The report shall  
11 include the name and address of the person making the expenditure, the date and  
12 amount of the expenditure or expenditures, the name and address of the payee  
13 and a description of nature and purpose of the dissemination of  
14 information. Such report shall be filed with the appropriate officer having  
15 jurisdiction over the election of the candidate or ballot measure in question as set  
16 forth in section 130.026 no later than fourteen days after the date of making an  
17 expenditure. If, after filing such report, additional expenditures are made, a  
18 further report shall be filed at the date set forth in section 130.046 for any  
19 reporting period in which the additional expenditures are made; except that, such  
20 expenditure is made no later than [fourteen] **twelve** days prior to an election, the  
21 report shall be filed no later than [forty-eight] **twenty-four** hours after the date  
22 of such expenditure.

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